

IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEBRASKA

AUTO SERVICES COMPANY, INC.,)	
)	
Plaintiff,)	8:05CV264
)	
v.)	
)	
KPMG, L.L.P., et al.,)	CONSENT FINAL JUDGMENT AND ORDER
)	DISMISSING PLAINTIFF'S CLAIMS
Defendants.)	AGAINST KPMG LLP WITH PREJUDICE
_____)	

This matter is before the Court on the joint motion of plaintiff and KPMG LLP (Filing No. 266) made pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure for dismissal with prejudice of the claims of Auto Services Company, Inc., and KPMG LLP, in accordance with the "Settlement Agreement and Mutual Release" among plaintiff, KPMG LLP and certain other third parties identified therein, which Settlement was previously approved by order of this Court. The plaintiff has consented to this order subject to the occurrence of the "Release Date" as defined in the Settlement Agreement, and KPMG LLP by its submission of this consent order represents to this Court that the Release Date has occurred. For good cause shown and pursuant to Rule 41(a)(2),

IT IS ORDERED:

1) Plaintiff's claims against KPMG LLP are dismissed with prejudice;

2) In accordance with Federal Rule of Civil Procedure 54(b), there is no just reason for delay of entry of this Consent Final Judgment and Order Dismissing Plaintiff's Claims Against KPMG LLP with prejudice and the Court directs this Final Judgment and Order Dismissing Plaintiff's Claims Against KPMG LLP be final judgment as to such claims and directs entry of judgment as set forth above.

DATED this 29th day of June, 2007.

BY THE COURT:

/s/ Lyle E. Strom

LYLE E. STROM, Senior Judge
United States District Court